

REMARKS--General

Description:

Applicant's copy of record of the patent application does claim on page 1 line 1 the priority. If the statement was missing on the copy on file at the USPTO, perhaps there was a switch between the disclosure meant for the canadian patents office which was sent simultaneously. Applicant regrets this error.

Claims:

In Palleschi, there is no evidence in col 2 lines 46-48 and 54-55 that the device can be folded onto itself and no mention also that, although the material is stated to be an elastomer, it can adapt to various wheel diameters. The elastomer nature is more for the purpose of offering a snug fit over a wheel of a predetermined diameter rather than fitting over a variety of wheel diameters or a variety of wheel spacings. Unless one were to buy a very specifically sized and configured device, as taught by Palleschi, to fit over one's specific inline skate model with specific wheel diameters and spacings, there is no indication that the invention as disclosed by Palleschi is universal but rather that different sizes are required which is not very practical in the marketplace since different sizes means several different molds to create, which translates into a more expensive product.

This instant invention, besides being vastly structurally different from the one taught by Palleschi, offers a one size fits all form factor to provide, not only a structurally different invention, but a different structure offering features not available from Palleschi, although there is nothing that could have stopped Palleschi from offering those advantages. Therefore one cannot say that the advantages offered by this instant invention would have been obvious to one trained in the art since those were not implemented even though they would have been feasible at the time of Palleschi.

The same argument applies to Grim, which offers a device having a configuration requiring specific anchoring means which appear to be directed at traditional roller skates which have wider wheels that are cylindrical whereas inline skates have thinner wheels of a rounded "torus" shape. Grim's device would easily slip off inline wheels. In order to be applied to inline skates, Grim's device would have to be structurally very different.

Applicant agrees that there are dozens of prior art aimed at blocking wheels on inline skates and roller skates but each has a particular structure and each, in its broadest terms, involves blocking wheels but the way each patent goes about it is different and this application offers sufficient differences over any of the cited prior art to distinguish itself as the other prior art have distinguished themselves from other prior art. The newly drafted claims should make that abundantly clear.


The field is in an art that is currently very popular and the problem that needs to be solved can be solved in very different ways. Because this field is now a crowded art, only minor improvements or modifications can be allowed a patent.

Applicant hopes that he has responded to the Office Action in an appropriate manner.

Requests For Constructive Assistance

The undersigned has made a diligent effort to amend the claims of this application so that they define unobvious structure because it produces new and unexpected results. If for any reasons the claims of this application are not believed to be in full condition for allowance, applicant respectfully requests the constructive assistance and suggestions of the Examiner in drafting one or more claims pursuant to MPEP 707.07(j) or in making constructive suggestions pursuant to MPEP 706.03(d) in order that this application can be placed in allowable condition as soon as possible and without the need for further proceedings.

Very Respectfully,



Gilles Guerrier
Applicant pro se